



IN THE DISTRICT COURT OF LOGAN COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA
LOGAN COUNTY
FILED
JAN 19 2011:20
CLERK
BY *KR* DEPUTY

TRENT NERE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CJ-2019-203
)	
CITY OF CRESCENT,)	JURY TRIAL DEMANDED
)	
Defendant.)	

DEFENDANT'S ANSWER TO PLAINTIFF'S PETITION

Defendant City of Crescent ("Defendant"), submits its Answer to Plaintiff's Petition on file herein.

NATURE OF ACTION AND INTRODUCTION

1. Defendant objects to ¶ 1 of Plaintiff's Petition because it violates Okla. Stat. tit. 12, Sec. 2008(A). Without waiving and subject to these objections, denied as phrased.

JURISDICTION AND VENUE

2-4. Defendant admits that jurisdiction and venue are proper in this Court, but Defendant denies there is any basis for this suit and asserts it committed no wrongdoing of any kind, as suggested in ¶¶ 2-4 of Plaintiff's Petition.

STATEMENT OF FACTS

The Parties

5. Admitted.
6. Defendant admits Plaintiff appears to be male but is without sufficient information to admit or deny the Plaintiff's residency, therefore it is denied at this time.
7. Defendant admits that it was at one time Plaintiff's employer, but disputes whatever Plaintiff contends is relevant, as alleged ¶ 7 of Plaintiff's Petition.

Oklahoma DEQ Regulations

8. Admitted.

9-12. Defendant objects to ¶¶ 9-12 of Plaintiff's Petition because it purports to recite legal conclusions. Defendant also disputes what is relevant..

Crescent Wrongfully Terminated Nere

13-21. Defendant objects to ¶¶ 13-21 of Plaintiff's Petition because it violates Okla. Stat. tit. 12, Sec. 2008(A). Without waiving and subject to these objections, denied as phrased.

22-24. Denied as phrased.

25. Defendant admits Wallace terminated Plaintiff's employment as alleged in ¶25 of Plaintiff's Petition, but otherwise denies as phrased the remainder of ¶25.

26-27. Denied as phrased.

28. Defendant acknowledges that Plaintiff submitted a Notice of Tort Claim.

Causation of Plaintiff's Damages

29. Denied.

DAMAGES SUSTAINED BY PLAINTIFF

30-31. Denied.

DEMAND FOR JURY TRIAL

32. Defendant acknowledges Plaintiff is seeking a jury trial, but contends that there is no basis for this lawsuit.

Defendant denies that Plaintiff is entitled to any of the relief requested in the unnumbered "WHEREFORE" paragraph of Plaintiff's Petition.

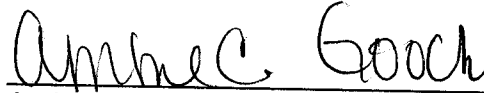
DEFENSES

Defendant submits the following defenses to the allegations contained in Plaintiff's Petition:

1. Damages are limited under the Governmental Tort Claims Act.
2. Plaintiff may have failed to mitigate his damages and he is required to do so.
3. The City is not liable for actions or omissions committed by its employee(s) which are outside the scope of the employee's employment.
4. Plaintiff was terminated for legitimate, non-discriminatory, non-retaliatory, business based reasons.
5. Defendant City did not violate any clearly established public policy of the State of Oklahoma.
6. All employment decisions regarding Plaintiff were made for legitimate, non-discriminatory, business based reasons.
7. Plaintiff's claim/suit may be barred by the statute of limitations and/or her claim/suit may not have been timely filed.

WHEREFORE, having fully answered, the Defendant, City of Crescent, respectfully requests that Plaintiff take nothing by reason of his Petition and that it be dismissed with its attorney fees and costs.

Respectfully submitted,



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ATTORNEY FOR DEFENDANT
CITY OF CRESCENT

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2019 I sent the Defendant's Answer to Plaintiff's Petition by certified mail, return receipt requested, to:

D. Colby Addison, electronic mail at: colby@lhllaw.com
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